

Remarks

By way of the present amendment, Applicant has amended Claims 1 and 8; canceled Claims 4, 5, 10, and 11; and added Claims 21-27. Fourteen (14) claims remain pending in the application: Claims 1, 2, 6-8, 12-13, and 21-27, of which Claims 1, 8, 21, and 25 are independent. Applicant respectfully requests reconsideration of the pending claims, in view of the amendments above and comments below.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected Claims 1-2, 4, 6-8, 10 and 12-13 under 35 U.S.C. § 103(a) as being unpatentable over Byers et al. (U.S. Patent No. 4,991,582) in view of Schulman et al. (U.S. Patent 6,208,894) and further in view of Whitehurst et al. (U.S. Patent No. 6,901,296).

Independent Claim 1 has been amended to include the subject matter of original Claim 4 and the allowable subject matter found in original Claim 5, which claims have been canceled. Independent Claim 8 has been amended to include the subject matter of original Claim 10 and the allowable subject matter found in original Claim 11, which claims have been canceled. Because the allowable subject matter from original Claims 5 and 11 is now found in amended Claims 1 and 8, it is submitted that Claims 1 and 8, and those claims that depend therefrom, should be patentable for, *inter alia*, at least the same reasons that original claims 5 and 11 were found by Examiner to contain allowable subject matter.

Newly Added Claims

By way of the present amendment, seven new claims have been added. No new matter has been added by way of these amendments.

- New independent Claim 21 includes, *inter alia*, the subject matter of previously presented Claim 1 and a limitation from original claim 5.

- New Claims 22 depends from Claim 21, and it includes, *inter alia*, the subject matter of original Claim 2.
- New Claim 23 depends from Claim 21, and it includes, *inter alia*, the subject matter of previously presented Claim 6.
- New Claim 24 depends from Claim 23, and it includes, *inter alia*, the subject matter of original Claim 7.
- New independent Claim 25 includes, *inter alia*, the subject matter of previously presented Claim 8 and a limitation from original Claim 11.
- New Claim 26 depends from Claim 25, and it includes, *inter alia*, the subject matter of previously presented Claim 12.
- New Claim 27 depends from Claim 26, and it includes, *inter alia*, the subject matter of original Claim 13.

Applicant submits that new independent claims 21 and 25 both include the following limitation: "*a stimulating surface with grooves that increase the surface area of the stimulating surface*," which limitation is not found, taught or suggested by Byers et al. alone or in combination with Schulman et al. and Whitehurst et al. Support for this limitation is found in original Claims 5 and 11, paragraphs [0061] and [0062], and FIG. 1B. Thus, new independent Claims 21 and 25 and those that depend therefrom should be allowable.

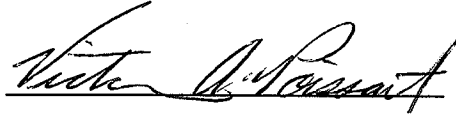
Conclusion

In view of the foregoing, it is respectfully submitted that the rejections have been overcome and that the pending claims are in condition for allowance. An indication of allowability of Claims 1, 2, 6-8, 12-13, and 21-27 at an early date is thus earnestly solicited.

The Examiner is invited to telephone the undersigned, Victoria A. Poissant, should any issues remain after consideration and entry of this response, in order to permit early resolution of such issues.

April 25, 2006

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Victoria A. Poissant', written over a horizontal line.

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